

Comments



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
California Desert District Office
6221 Box Springs Boulevard
Riverside, California 92507-0714

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MOJAVE NATIONAL
PRESERVE

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Memorandum

To: *my* Superintendent, Mojave National Preserve
From: District Manager, California Desert
Subject: Final Comments

Thank you for the opportunity to review the Draft Environmental Impact Statement and General Management Plan for the Mojave National Preserve (GMP). The effort put into the GMP is notable and we commend you and your staff's efforts in producing this professional document.

Our final comments are attached. A preliminary versions was faxed to Dennis Schramm February 5, 1999, which he requested for a plan meeting. This final version includes some minor correction and replaces the earlier and preliminary version.

Our comments are confined to the Mojave National Preserve's document and there are no comments on the other plans. If there are any questions, please contact Douglas Romoli, Acting Assistant District Manager at 909-696-5330.

Attachment

Responses

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Bureau Of Land Management,
California Desert DistrictFinal Comments to Draft Environmental Impact Statement,
Mojave National Reserve

BLM1

Page 4, Executive summary, Table 1, Water Rights; and related sections

Water rights are often tied to grazing lease improvements. The NPS desire to eliminate grazing from the preserve could create impacts to lease holders where remaining portions of grazing leases outside of preserve boundaries are severed from integral water rights on those portions of leases within preserve boundaries when "retired" by NPS. Care must be exercised in adjudicating those rights inherent to the grazing lease which according to CDPA will be allowed to continue within the preserve. This situation would create impacts to portions of leases outside preserve boundary that have not be addressed in the EIS.

BLM2

Page 34, Planning Issues and Management Concerns, Issues Identified During Public Scoping, Socioeconomics

Is visible light pollution appropriately included here? The subject is not dealt with under this heading later in the document.

BLM3

Page 35, Planning Issues and Management Concerns, Issues Identified During Public Scoping, Mining

The concern: "Address impacts from operating and abandoned mines in and near the planning area boundaries, reclamation and revegetation plans, and adequacy of existing mitigation measures," has not been adequately addressed later in the document. Mines, operating or abandoned, outside the preserve boundaries are not within the management jurisdiction of the park service and are subject to Federal regulations at Title 43. The adequacy of mitigation measures for operating mines on public lands managed by BLM have been determined. Any modification to mitigation measures outside the preserve boundaries will be appropriately addressed by the responsible agency in appropriate environmental assessment and should not be a foundation of a management plan for the preserve.

BLM4

Page 35, Planning Issues and Management Concerns, Issues Identified During Public Scoping, Access

The concern: "Ivanpah Dry Lake should not be open for vehicles because it is a beautiful area," requires the response that it has been dropped from evaluation in this EIS because it is not within the preserve boundary and management of the area is under BLM.

- BLM1. Acquisition of grazing permits would be a negotiated deal between the rancher and conservation groups. Portions of leases inside and outside the preserve are held by the same rancher. The rancher would have to negotiate retention of water rights during negotiations if not selling the portion outside the preserve.
- BLM2. We interpreted the scoping comment as a suggestion to include in our plan a strategy for addressing night sky effects on the park. The 1998 draft plan includes such a strategy on page 52.
- BLM3. The details suggested by this scoping comment were beyond the scope of this planning effort. However, we did address management of proposed and currently operating mines in the preserve on page 100 of the 1998 draft plan. A strategy for dealing with abandoned mines is included on page 83 of the 1998 draft plan. Mines outside the preserve are not addressed in the document.
- BLM4. As stated on page 33 of the 1998 draft plan, the list of scoping issues was derived from a series of combined interagency scoping meetings. Not all are relevant to the Mojave plan. Statements not applicable have been removed.

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BLM5	<p><u>Page 39, Actions considered for Alternatives But Rejected</u></p> <p>"Banning all grazing from NPS units" does not appear to have been <u>rejected</u> as an alternative as the long term goal is to systematically retire all grazing allotments within the preserve boundaries. It would seem more appropriate to indicate that CDPA prohibits the immediate implementation of this alternative.</p>	BLM5. Rejection of this alternative is addressed in the 1998 draft plan.
BLM6	<p><u>Page 42, Planning Issues and Management Concerns, Relationship to other planning efforts, Ward Valley Low Level Radioactive Waste Disposal Site</u></p> <p>The first sentence contains the phrase "... is proposed as a storage site for subsurface-level radioactive waste." This should read "... is proposed as a subsurface storage site for low-level radioactive waste."</p>	BLM6. The text has been revised.
BLM7	<p><u>Page 43., Planning Issues and Management Concerns, Relationship to other planning efforts, Castle Mountain Proposed Mine Expansion</u></p> <p>The Castle Mine expansion is no longer "proposed." The project expansion was approved by BLM in two Decisions, March, 1998, and July, 1998. Copies of these documents were provided to NPS and are available on the internet at: http://www.ca.blm.gov/needles/nepa.htm. The next to last sentence in this paragraph should be revised for clarity. The phrase "... reduce the frequency of monitoring wells ..." could be understood by some readers to relate to monitoring well spacing rather than reducing the monitoring frequency of monitoring wells.</p>	BLM7. The text has been revised.
BLM8	<p><u>Page 43., Planning Issues and Management Concerns, Relationship to other planning efforts, Molycorp Inc. Proposed Mine Expansion and Hazardous Spill Status</u></p> <p>The time frame of reported releases from the Molycorp pipeline is two years out of date, and we suggest updating these figures and constituents.</p>	BLM8. The text has been updated.
BLM9	<p><u>Page 58, Introduced Species, Burros</u></p> <p>Burros are a protected species on public lands administered by BLM. NPS "no burro" policy will affect BLM management of herds and habitat outside of the Mojave Preserve Boundary. These impacts must be analyzed in this EIS. A Mojave Preserve Plan alternative could be considered that includes BLM/NPS cooperative burro management since it appears to be only NPS policy to exterminate these animals.</p>	BLM9. As stated in text, the Clark Mountain herd is the only BLM herd management area (HMA) adjacent to Mojave National Preserve. Additional discussion of the impacts of the Bureau of Land Management retaining the HMA adjacent to the preserve has been included in this document. See alternative 2 for a discussion regarding BLM/NPS cooperative burro management alternative.
BLM10	<p><u>Page 83, Sand and Gravel for Road Maintenance</u></p> <p>The sentence: "Building materials(sand, gravel, cinders), geothermal resources, and oil and gas on federal lands are not available for extraction or sale" is not factual. This sentence must be corrected to clarify the circumstances under which such conditions could be true.</p>	BLM10. Statement has been modified to clarify that it refers to federal lands within the preserve. The National Park Service has no authority to dispose of these resources inside national parks.

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BLM11	<p><u>Page 87, Alternative 1: Proposed Action, No Heading</u></p> <p>The last sentence of the first paragraph on this page states: "... NPS would work together with the Bureau of Land Management to retire the entire allotment." This statement tends to imply that BLM has made a decision to retire these allotments if requested by the NPS. Such a decision could only be made through a plan amendment to the CDCA Plan.</p>	BLM11. The text has been revised to indicate that the National Park Service would request that the Bureau of Land Management retire their portion of the allotment through a plan amendment.
BLM12	<p><u>Page 104, Alternative 3: Optional Management, Visitor Use, Services, and Facilities, Interpretation and Orientation Facilities</u></p> <p>This is the only mention in the document that NPS would try to work with other Federal land management agencies to establish multiagency staffing of information centers at Baker and Needles. BLM believes that this should be a component of all alternatives and needs to be addressed more prominently in the proposed action. BLM currently provides staff for the Desert Information center in Needles.</p>	BLM12. The existing management alternative has been updated to reflect the recent addition of BLM staff at the NPS visitor information center in Needles. The text of the proposed action and alternative three has also been modified to reflect a goal of working cooperatively with other agencies to provide public information.
BLM13	<p><u>Page 113, Affected Environment</u></p> <p>There is no discussion of wilderness resources in Affected Environment. Wilderness has attributes that could be affected by the Proposed Plan and alternatives and should be included as an element of analysis.</p>	BLM13. A description of the wilderness resource has been added to the "Affected Environment" section.
BLM14	<p><u>Page 121, Species and Habitats of Special Consideration</u></p> <p>The last two sentences of page 121 contain the phrases "... for more than 2½ years ..." and "... at the end of the 2½ years" Suggest deleting the phrase "more than" from the sentence.</p>	BLM14. The text has been revised.
BLM15	<p><u>Page 123, Other Rare Plants Within NEMO</u></p> <p>The next to last paragraph on this page contains the phrase "... are associated with carbonate soils <i>at least part of the time.</i>" Suggest deleting "at least part of the time."</p>	BLM15. The text has been revised.
BLM16	<p><u>Page 127, Pronghorn Antelope</u></p> <p>The sentences: "Extensive agricultural development replaced much of the antelope's natural habitat. The antelope began to use cultivated crops as a replacement for their natural forage," do not seem to reflect accurate assessment of conditions within the Mojave Preserve. Suggest clarification of these statements.</p>	BLM16. The text has been revised.
BLM17	<p><u>Page 153, Visitor Information Centers</u></p> <p>The last paragraph of this section states: "The preserve leases office space in Needles, California, for a visitor information center. This facility is staffed by an NPS interpreter who provides interpretive and recreational information. Lake Mead National Recreation Area also supports the Needles information center with staff and in other ways." Please clarify that BLM, Needles Field Office also supports the Needles Desert Information Center with staff and in other ways. Formation of an inter-agency information center in Needles with NPS has been a high priority for BLM. This effort will provide more</p>	BLM17. The text has been revised.

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	accurate and efficient information to visitors to the public and park lands and promote cooperative management of related issues in the Mojave Desert. As stated above BLM believes that continued operation of this interagency information center should be a component of all plan alternatives.
BLM18	<p><u>Page 156, Local and Regional Communities, Needles, California and Kingman, Arizona</u></p> <p>Some information should be given for Kingman and possibly other local communities also, or reference to Kingman should be deleted from the title.</p>
BLM19	<p><u>Page 164, Landownership and Use, Minerals</u></p> <p>The second paragraph contains the sentence: " While the total amounts of these metals produced seems significant, in the scope of regional and national production, the amounts are insignificant." This statement blatantly understates the importance of mineral production from the Mojave Desert in general and the Preserve in particular. Most mining operations in the world are small compared to the industry as a whole. That does not negate their significant contribution to the whole nor vacate the need to assess the possible impacts that may result from an action.</p> <p>It would seem appropriate to include some discussion of the nature of NPS regulations regarding mining on Park lands since actual approval of mining operations would require mining to operate under fairly strict environmental constraints.</p>
BLM20	<p><u>Page 165, Grazing/Rangeland</u></p> <p>To the casual reader, statements made in the last paragraph on this page regarding the significant decrease in the numbers of cattle grazed in the area would seem to be important in assessing long term impacts to the desert tortoise. Does information (albeit, anecdotal) exist which relate tortoise densities to historic numbers of cattle?</p>
BLM21	<p><u>Page 171, Alternative 1: Proposed Action, Impacts on Natural Environment</u></p> <p>The last sentence of the next to last paragraph of this section states: "The National Park Service would follow county development codes and regulations for construction on nonfederal land." This seems to imply that other codes would be followed for construction on federal land. If a difference exists it should be clarified.</p>
BLM22	<p><u>Page 175, Impacts on the Socioeconomic Environment</u></p> <p>The federal government does make payments to counties in lieu of taxes to compensate for lost tax revenue. However, the funds are usually not credited to the same fund accounts nor used for identical purposes. Because the amount of private lands within the preserve are substantial, significant impacts to local tax funded programs could result. If any of these types of impacts were identified by the DRA study they should be included here.</p>
BLM23	<u>Page 178, Impacts on Land Ownership and Use</u>

BLM18. The text has been revised.

BLM19. The statement has been modified.

BLM20. The only known published information on historic desert tortoise densities is addressed in the *Recovery Plan* and is typically circumstantial evidence rather than surveyed population data.

BLM21. The National Park Service also has federal standards that apply and may be more stringent in some cases.

BLM22. Statement has been modified.

BLM23. The impact section has been modified to note that payments in lieu of taxes do not fully replace lost property tax revenue where private lands are acquired by the federal government.

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The first paragraph on this page contains the sentence: " Fencing along the BLM/NPS boundary would be a condition of all leases that abut NPS lands (Tim Salt, Acting Manager of BLM's California Desert District, pers. Comm. 1998)." This statement is included as if a formal decision regarding this matter has been made. It has not and in fact will require the appropriate environmental review, including alternatives, now in progress. It is inappropriate to determine that impacts will be minimal based upon this statement. Such a decision would have substantial financial impact to either BLM as lessor or it's lessees. It is important to clarify/remove this statement in the Mojave Preserve Plan EIS lest it become inappropriately used as a basis for a management decision followed by invalid attempts to enforce the condition.

BLM24

Page 188, Impacts on Land Ownership and Use

The first sentence of the last paragraph of this section should begin with the word "If".

BLM25

Page 189, Cumulative Impacts, last paragraph

Impacts resulting from NPS potential denial of mining proposals have not been evaluated in this EIS and therefore it is inappropriate to state that cumulative impacts would be minimal.

BLM26

Page 191, Alternate 3: Optional Alternative, Impacts on Cultural Resources

Please provide the basis for the first sentence, which states: "Restricting hunting seasons would allow more control of the illegal use of weapons in the nonhunting season, enhancing the cultural resource protection of cultural resources."

Page 192, Impacts on Visitor Use, Services, and Facilities

The first sentence of the last paragraph of this section should include the word "not" in the phrase "... some visitors might *not* be able to use the road"

BLM24. Comment noted

BLM25. The paragraph preceding cumulative impacts on page 188 of the 1998 draft plan addresses situations where mining proposals may be denied.

BLM26. The statement is in error. Restrictions on hunting in this alternative would provide almost no difference from the proposed action. However, this alternative would provide greater protection for cultural resources through the preparation of a sensitive resource analysis for mineral development activities.